

**ORDINANCE NO 20070503-061**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5308 NUCKOLS CROSSING ROAD IN THE FRANKLIN PARK NEIGHBORHOOD PLAN AREA FROM NEIGHBORHOOD COMMERCIAL-NEIGHBORHOOD PLAN (LR-NP) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD-PLAN (GR-MU-CO-NP) COMBINING DISTRICT**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN**

**PART 1** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from neighborhood commercial-neighborhood plan (LR-NP) combining district to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district on the property described in Zoning Case No C14-07-0021, on file at the Neighborhood Planning and Zoning Department, as follows

Lot 1, Block A, J P Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 85, Page 35C, of the Plat Records of Travis County, Texas (the "Property"),

locally known as 5308 Nuckols Crossing Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A"

**PART 2** Except as specifically provided in Part 3 and Part 4, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district and other applicable requirements of the City Code

**PART 3** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions

- A A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day

B The following uses are conditional uses of the Property

Community recreation (private)	Community recreation (public)
Congregate living	Hospital services (limited)
Residential treatment	
Medical office (exceeding 5000 sq ft of gross floor area)	

C The following uses are prohibited uses of the Property

Automotive rentals	Automotive repair services
Automotive sales	Automotive washing (of any type)
Bail bond services	Business or trade school
Business support services	Commercial off-street parking
Communications services	Drop-off recycling collection facility
Exterminating services	Food preparation
Funeral services	Hospital services (general)
Hotel-motel	Indoor entertainment
Indoor sports and recreation	Outdoor entertainment
Outdoor sports and recreation	Pawn shop services
Personal improvement services	Research services
Restaurant (general)	Theater

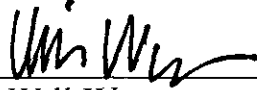
D Development of the Property shall comply with the following site development regulations

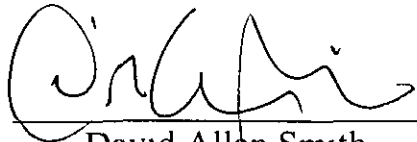
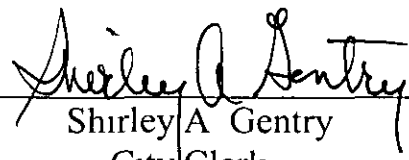
- 1 The maximum height of a building or structure is 40 feet from ground level
- 2 The maximum height of a building or structure is three stories
- 3 The minimum front yard setback is 25 feet
- 4 The minimum street side yard setback is 15 feet
- 5 The maximum building coverage is 50 percent
- 6 The maximum impervious cover is 80 percent
- 7 The maximum floor-to-area ratio (FAR) is 0.5 to 1.0

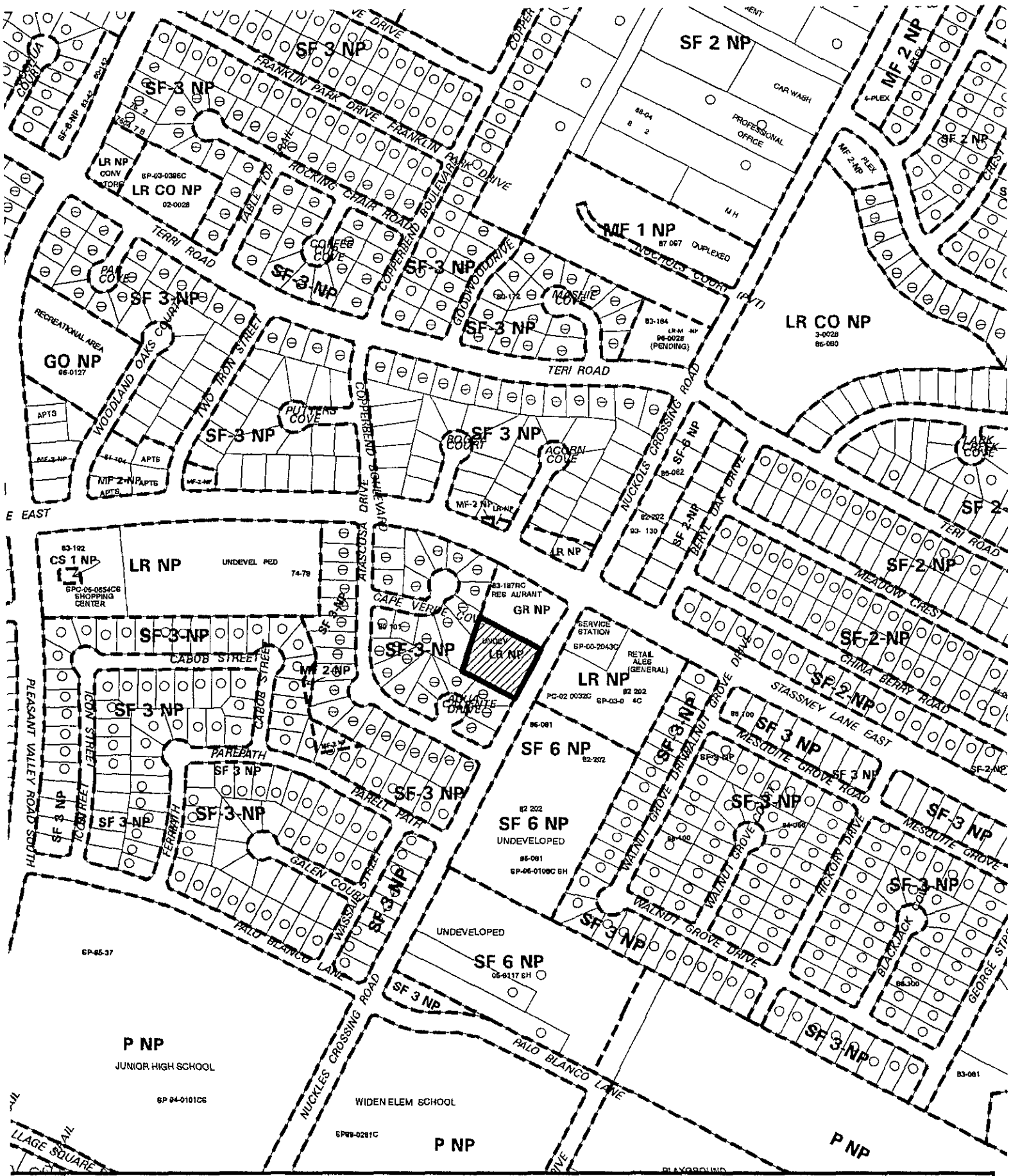
**PART 4** The Property is subject to Ordinance No 021010-12a that established the Franklin Park neighborhood plan combining district

**PART 5** This ordinance takes effect on May 14, 2007

**PASSED AND APPROVED**

\_\_\_\_\_, May 3, 2007      §  
   §  
   §        
   Will Wynn  
   Mayor

**APPROVED**  **ATTEST**   
                                 David Allan Smith      Shirley A. Gentry  
                                 City Attorney      City Clerk



**1 = 400**

**SUBJECT TRACT**

**PENDING CASE**

**ZONING BOUNDARY**

**CASE MGR W WALSH**

**CASE # C14-07-0021**

**ADDRESS 5308 NUCKOLS CROSSING RD**

**SUBJECT AREA (acres) 0.870**

**ZONING EXHIBIT A**

**DATE 07 02**

**INTLS SM**

SWIMMING POOL

**CITY GRID REFERENCE NUMBER**

**J16**